

REMARKS

Claims 1-27 are currently pending in the subject application and are presently under consideration. Claims 1, 10, 17, and 22 have been amended as shown on pp. 2-5 of the Reply.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-27 Under 35 U.S.C. §102(e)

Claims 1-27 stand rejected under 35 U.S.C. §102(e) as being anticipated by Deutsch *et al.* Patent No. 6,631,403 B1 (Deutsch *et al.*). Withdrawal of the rejection is requested for at least the following reason. Deutsch *et al.* does not expressly or inherently describe each and every aspect set forth in the subject claims.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation* set forth in the patent claim. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). *The identical invention must be shown in as complete detail as is contained in the ... claim.* *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Applicant's claimed subject matter relates to industrial automation, and more particularly toward a system and method for communicating with automation devices utilizing an interactive human machine interface. To this end, amended independent claim 1 recites *a system for interacting with automation devices, comprising: a plurality of automation devices connected to a network, the automation devices supply automation data to the network; and an interface connected to the network including an interactive program and an execution engine for executing the program.* Independent claims 10, 17, and 22 recite similar features. Deutsch *et al.* does not disclose or suggest at least this claimed aspect.

Deutsch *et al.* relates generally to multimedia data storage, transmission and compression systems and methods. In particular, the document discloses implementing MPEG-J data storage, transmission and compression standards. In contrast to applicant's claimed system, the disclosure in Deutsch *et al.* relates to pure data handling. Applicant's claimed system teaches supplying automation device data, which can include programmable logic controllers, pumps, fans, conveyor systems, compressors, gear boxes, motion control and detection devices, sensors, screw pumps, mixers, hydraulic and pneumatic machines, etc. (See Specification page 5). In stark contrast, Deutsch *et al.* relates only to data, with no real-world basis for the data (See column 7, line 10). The document discloses input audio and video data, but nowhere is there an equivalent to the claimed **automation devices**. Examiner cites Deutsch *et al.*, element 280, which indicates equipment such as a computer mouse or keyboard. There is no teaching or suggestion that these devices are automated, nor connected to a network.

In view of the foregoing, it is readily apparent that Deutsch *et al.* does not teach or suggest all aspects recited in the subject claims, and therefore the rejection of independent claims 1, 10, 17, and 22, and associated dependent claims, should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731